



Michael R. Pence, Governor
State of Indiana

Indiana Family and Social Services Administration

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Indiana Family and Social Services Administration

**Notice of Public Comment Period for
Statewide Transition Plan for Compliance with Home and Community-Based Setting Rules**

July 27, 2016

Notice is hereby given that the Indiana Family and Social Services Administration (FSSA) will submit to the Centers for Medicare and Medicaid Services (CMS) a revision to Indiana's Statewide Transition Plan for compliance with the Home and Community-Based Services (HCBS) regulations of 42 CFR 441.301(c)(4)-(5), and Section 441.710(a)(1)-(2).

PURPOSE

Effective March 17, 2014, CMS has issued regulations that define the settings in which it is permissible for states to pay for Medicaid HCBS. The purpose of these regulations is to ensure that individuals receive Medicaid HCBS in settings that are integrated and that support full access to the greater community. This includes opportunities to seek employment and work in competitive and integrated settings, engage in community life, control personal resources and receive services in the community to the same degree as individuals who do not receive HCBS. These changes will maximize the opportunities for participants in HCBS programs to have access to the benefits of community living and to receive services in the most integrated setting.

States must ensure all HCBS settings comply with the federal requirements by completing an assessment of existing state standards including rules, regulations, standards, policies, licensing requirements and other provider requirements..

FSSA has created a Statewide Transition Plan to assess compliance with the federal regulations and identify strategies and timelines for coming into compliance with the regulations as they relate to all FSSA HCBS programs. States must be in full compliance with the federal requirements by March 17, 2019.

FSSA PROGRAMATIC IMPACT

The programs currently under review include 1915(c) HCBS Waivers and 1915(i) State Plan benefits administered by the following divisions within FSSA:



Division of Aging

- Aged & Disabled (A&D) Waiver – IN.210
- Traumatic Brain Injury (TBI) Waiver – IN.4197

Division of Disability and Rehabilitative Services

- Community Integration and Habilitation (CIH) Waiver – IN.378
- Family Supports Waiver (FSW) – IN.387

Division of Mental Health and Addiction

Youth Services:

- Psychiatric Residential Treatment Facility Transition (PRTF) Waiver – IN.03
- Child Mental Health Wraparound Services (CMHW) – TN 12-013

Adult Services:

- Behavioral and Primary Healthcare Coordination (BPHC) – TN 13-013
- Adult Mental Health & Habilitation (AMHH) – TN 12-003

SUBMISSION OF COMMENTS

Additional information on the Statewide Transition Plan for compliance with the federal regulations of 42 CFR 441.301(c)(4)-(5), and Section 441.710(a)(1)-(2) can also be found at <http://www.in.gov/fssa/4917.htm>.

The public comment period will run from July 27, 2016 to August 26, 2016. All comments must be received during the comment period.

Written comments may be sent via email to: kelly.flynn@fssa.in.gov or by mail to:

State of Indiana

Family and Social Services Administration

Office of Medicaid Policy and Planning

Attn: HCBS Final Rule – Kelly Flynn, Manager of State Plan and Waivers

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Additionally, the State would be happy to schedule a phone or in-person consultation to discuss the program in further detail.